

**REMARKS**

The Examiner is thanked for the due consideration given the application.

Claims 1-26, 28-92 and 94-96 are pending in the application. Claims 14-92 and 94 have been withdrawn from consideration. Claim 1 has been amended to generally incorporate subject matter from canceled claim 27. Claims 2-13 have been amended to improve the language in a non-narrowing fashion. Claims 95 and 96 are newly presented and generally set forth subject matter canceled from claim 1.

No new matter is believed to be added to the application by this amendment.

**Rejection Under 35 USC §112, Second Paragraph**

Claims 1-13 have been rejected under 35 USC §112, Second Paragraph as being indefinite. This rejection is respectfully traversed.

The comments and the Official Action have been considered, and the claims have been amended to be clear, definite and have full antecedent basis.

This rejection is believed to be overcome, and withdrawal thereof is respectfully requested.

**Rejection Over SUNNEN**

Claims 1-13 have been rejected under 35 USC §103(a) as being unpatentable over SUNNEN (U.S. Patent 3,496,758). This rejection is respectfully traversed.

The present invention pertains to an apparatus for calibrating a measuring instrument such as a bore gauge, such as is exemplarily shown in Figure 1 of the application, reproduced below.

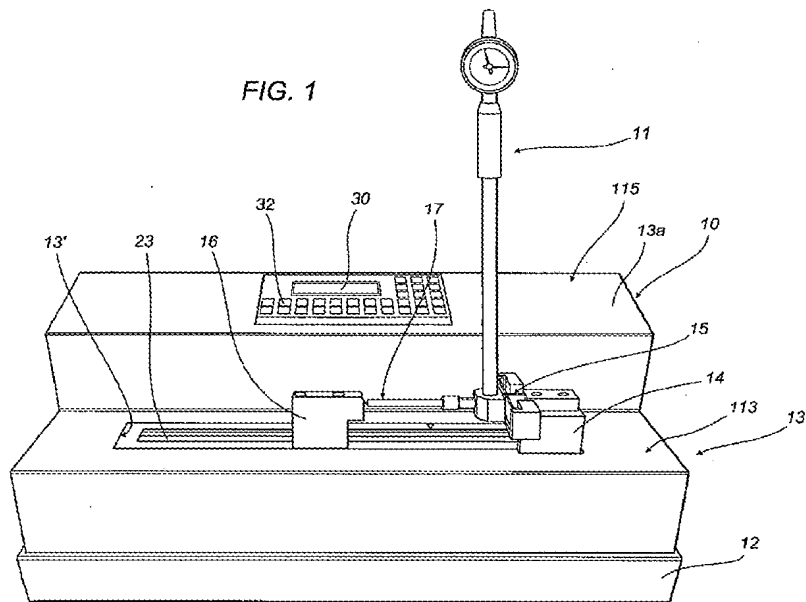
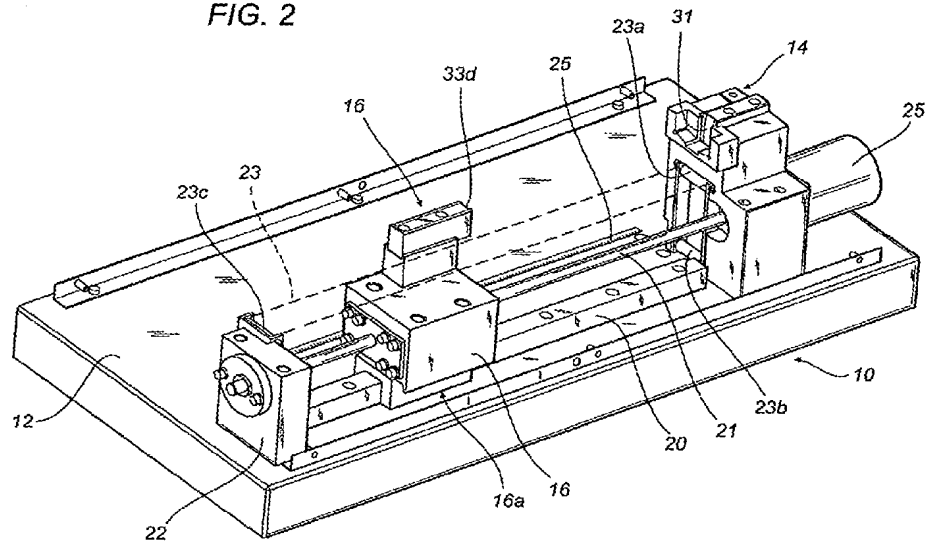


Figure 1 shows the apparatus 10 having contact means for the respective measure ends (15, 17) of the instrument to be calibrated. The calibrating means has first and second contact surfaces (31, 33d) which, for example, can be seen in Figure 2 of the application, which is reproduced below.

FIG. 2



The present invention also includes an adapter element (50) that includes a groove (63) that forms a passage for an end (15) of the measuring instrument which extends towards and against at least against a contact surface. The adapter element and groove can be seen in Figures 3 and 4 of the application, reproduced below.

FIG. 3

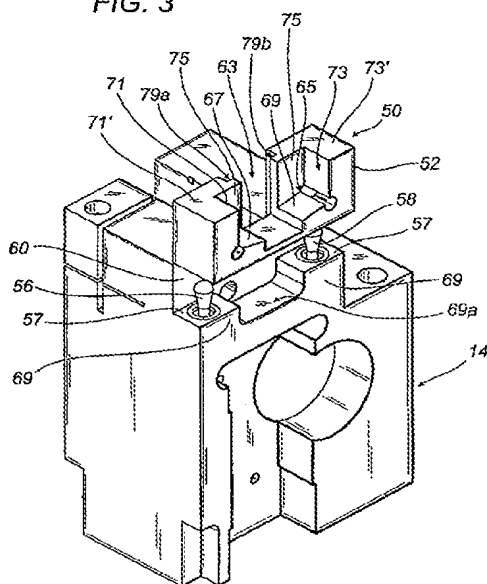
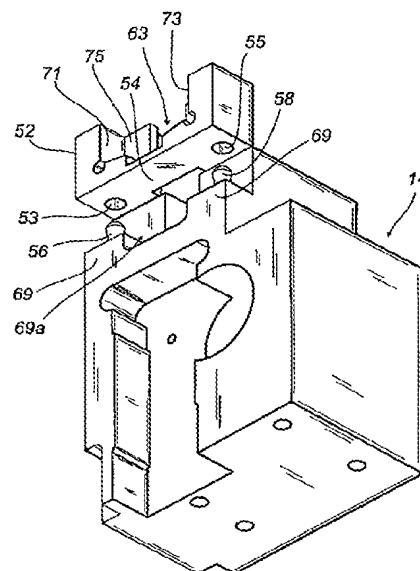


FIG. 4



Claim 1 of the present invention defines that the adapter element supports relative ends of the gauge instruments but not the measuring end of the same instrument.

SUNNEN pertains to a gauge setting fixture. The Official Action refers to Figures 1-5 of SUNNEN, which are reproduced below.

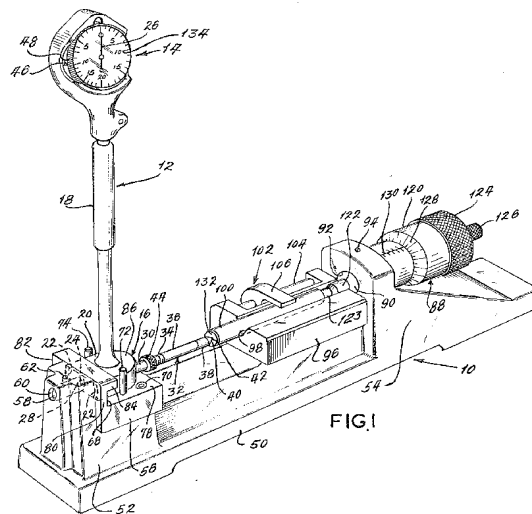


FIG. 1

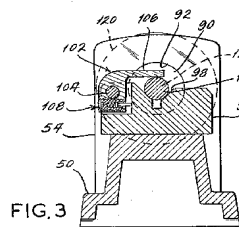


FIG. 3

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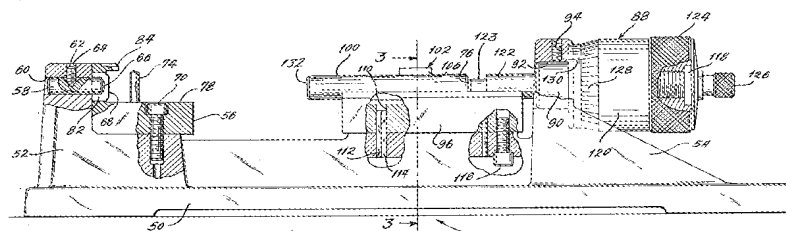


FIG. 2

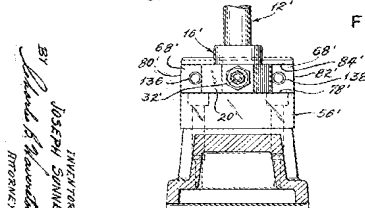


FIG. 4

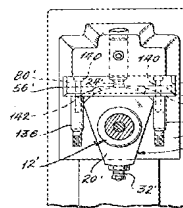


FIG.5

In SUNNEN, the adaptor 100 is placed between the measuring end 47 of the instrument 12 and the contact surface 122 of the calibrating or setting apparatus. This leads to errors in the setting of the instrument due to an eventual ad positioning of the adaptor or due to the dilation effect - for temperature oscillations - that may vary the length of the interspersed adaptor 100, thus affecting the reliability or precision of the setting.

In contrast, claim 1 of the present invention sets forth: "the adapter element (52) comprises a groove (63) which forms a passage for the end (15) of the measuring instrument which extends towards and against one of the contact surfaces," which obviates the deleterious effects of the SUNNEN apparatus.

On of ordinary skill and creativity would thus fail to produce a claimed embodiment of the present invention from a knowledge of SUNNEN. A *prima facie* case of unpatentability has thus not been made.

This rejection is believed to be overcome, and withdrawal thereof is respectfully requested.

### **Conclusion**

The rejections are believed to have been overcome, and no issues remain. Accordingly, rejoinder and the issuance of a Notice of Allowability is respectfully solicited.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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